

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

SUMIT GARG,

Defendant.

CASE NO. CR21-0045-JCC

ORDER

This matter comes before the Court on Defendant's Motion to Continue Trial (Dkt. No. 330). Having thoroughly considered Defendant's motion and the relevant record, the Court GRANTS the motion for the reasons explained below.

Trial in this matter is currently set for July 10, 2023. (Dkt. No. 165.) Defendant opted to proceed *pro se* on November 7, 2022. (Dkt. No. 173.) Since that time, the parties have litigated a number of discovery issues. Defendant now argues he needs additional time to prepare his case because of complications with viewing discovery at the Federal Detention Center. (Dkt. No. 330 at 2–3.) The Government opposes this requested continuance. (Dkt. No. 364.)

Based on the foregoing, the Court FINDS as follows:

1. Taking into account the exercise of due diligence, a failure to grant a continuance in this case would deny Defendant reasonable time necessary for effective preparation due to his

1 need for more time to review discovery and prepare for trial, as set forth in 18 U.S.C.

2 § 3161(h)(7)(B)(iv);

3 2. Failure to grant a continuance would likely result in the miscarriage of justice, as
4 set forth in 18 U.S.C. § 3161(h)(7)(B)(i);

5 3. The additional time requested is a reasonable period of delay, as Defendant
6 requested more time to prepare for trial, review discovery, and consider possible defenses;

7 4. The ends of justice will best be served by a continuance, and the ends of justice
8 outweigh the best interests of the public and Defendants in any speedier trial, as set forth in 18
9 U.S.C. § 3161(h)(7)(A); and

10 6. The additional time requested between the current trial date of July 10, 2023, and
11 the new trial date is necessary to provide Defendant reasonable time to prepare for trial
12 considering the facts set forth above.

13 Accordingly, Defendant's Motion (Dkt. No. 330) is GRANTED. It is therefore
14 ORDERED that the trial date be CONTINUED from July 10, 2023 to August 28, 2023, and that
15 the time between the filing of this motion to continue and the new trial date is excludable time
16 under the Speedy Trial Act, as provided in 18 U.S.C. §§ 3161(h)(7)(A), 3161(h)(7)(B)(i), and
17 3161(h)(7)(B)(iv). The pretrial motions deadline has passed.

18 DATED this 4th day of April 2023.

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22 John C. Coughenour
23 UNITED STATES DISTRICT JUDGE
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